REMARKS

Rejections Under 35 U.S.C. § 102

Claims 1, 2 and 4-14 are rejected under 35 U.S.C. §102(e) as being anticipated by *Watts, Jr., et al.* (U.S. Application Publication No. 2003/0188077).

As the PTO recognizes in MPEP § 715.01(a):

When subject matter, disclosed but not claimed in a patent or application publication filed jointly by S and another, is claimed in a later application filed by S, the joint patent or application publication is a valid reference unless overcome by affidavit or declaration under... 37 C.F.R. § 1.132 by S that he/she conceived or invented the subject matter disclosed in the patent or application publication and relied on in the rejection.

Applicant traverses these rejections on the grounds that the unclaimed subject matter disclosed in the reference and relied in the rejections under 35 U.S.C. § 102(e) is Applicant's invention and not the invention of another. In support of Applicant's assertion, a declaration under 37 C.F.R. § 1.132 is hereto attached. In view of the declaration, Applicant respectfully requests that the rejections under 35 U.S.C. §102(e) be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 1, 2, 4-6, 10 and 12-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Policard* (U.S. 6,578,140) in view of *Kamijo, et al.* (U.S. 6,538,880). Claims 7-9 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Policard* and *Kamijo, et al.* as applied to claims 1 and 4 above, and further in view of allegedly well-known art.

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Applicant traverses these rejections on the grounds that these references are defective in establishing a *prima facie* case of obviousness with respect to claims 1, 13, and 17.

In particular, amended claim 1 now states:

1.   A mobile computing system comprising:

a personal computer architecture system (PC);

a personal digital assistant architecture system (PDA);

a communication device coupled to the PC by a first bus and coupled to the PDA by a second bus; and

a switch coupled to the PC by a third bus and coupled to the PDA by the second bus, such that control of the mobile computing system is isolated to the PDA when the switch is in a first state and control of the mobile computing system is taken by the PC when the switch is in a second state, the communication device being continuously coupled to the PC and the PDA.

Amended claim 13 states:

13.   A method of providing communication access in a mobile computer system comprising:

providing a personal computer (PC);

providing a personal digital assistant (PDA);

providing a communication device coupled to the PC by a first bus and coupled to the PDA by a second bus; and

providing a switch coupled the PC by a third bus and to the PDA by the second bus, such that control of the mobile computer system is isolated to the PDA when the switch is in a first state and control of the mobile computer system is taken by the PC when the switch is in a second state, the communication device being continuously coupled to the PC and the PDA.

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Newly added claim 17 states:

17.   (New)   A mobile computing system comprising:

a first computing system exhibiting a first architecture;

a second computing system exhibiting a second architecture that is different from the first architecture;

a communication device coupled to the first computing system by a first bus and coupled to the second computing system by a second bus; and

a switch coupled to the first computing system by a third bus and coupled to the second computing system by the second bus, such that control of the mobile computing system is isolated to the second computing system when the switch is in a first state and control of the mobile computing system is taken by the first computing system when the switch is in a second state, the communication device being continuously coupled to the first computing system and the second computing system.

As the PTO recognizes in MPEP §2142:

> ...The Examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the Examiner does not produce a *prima facie* case, the Applicant is under no obligation to submit evidence of nonobviousness.....the Examiner must step backward in time and into the shoes worn by the hypothetical 'person of ordinary skill in the art' when the invention was unknown and just before it was made....The Examiner must put aside knowledge of the Applicant's disclosure, refrain from using hindsight, and consider the subject matter claimed 'as a whole.'"

Applicant submits that the Examiner cannot factually support a *prima facie* case of obviousness for the following, mutually exclusive reasons.

1.   Even when combined, the references do not teach the claimed subject matter

The *Policard* and *Kamijo, et al.* patents cannot be applied to reject claims 1

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and 13 under 35 U.S.C. § 103 which states:

> *A patent may not be obtained... if the difference between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains... (emphasis added).*

Thus, when evaluating a claim for determining obviousness, all limitations of the claim must be evaluated. Therefore, to sustain this rejection, combination of the *Policard* and the *Kamijo, et al.* patents must contain all of the claimed elements of claims 1 and 13. The combination of the *Policard* and the *Kamijo, et al.* patents teaches a system including a PC, a switch, and a PDA which functions as an input/output device (e.g., a mouse) when coupled to (e.g., inserted into) a PC. It is important to note that the PDA is not functioning as a computing system in the proposed combination, but rather merely functions as an input device, namely a pointing device. However, in sharp contrast to the combination of *Policard* and *Kamijo*, amended claims 1 and 13 recite a system including a PC, a switch, and a PDA which continues to function as a PDA while coupled to the PC. Accordingly, for each of amended claims 1 and 13, at least one claimed element is not taught by the combination of the *Policard* and the *Kamijo, et al.* patents.

Similarly, the *Policard* and the *Kamijo, et al.* patents cannot be applied to reject newly added claim 17. Claim 17 recites a first computing system (e.g., a PC) having a first architecture (e.g., a PC architecture), a switch, and a second computing system (e.g., a PDA) having a second architecture (e.g., a PDA architecture) that is different from the first architecture. As discussed above, when coupled to a PC, the PDA of the combination of the *Policard* and the *Kamijo, et al.* patents does not behave as a PDA. In other words, the PDA does not behave as a second system having a second architecture that is different from

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a first architecture of a first system, as recited in claim 17.

Thus, at least for the above mutually exclusive reason, the Examiner's burden of factually supporting a *prima facie* case of obviousness is not met, and the rejections under 35 U.S.C. § 103 should be withdrawn.

2.   The references should not be combined because the combination destroys the intended function of the references.

The *Policard* and the *Kamijo, et al.* patents are not combinable because the resulting combination of the patents is not operable. More particularly, combining the references as the Examiner suggests, results in a system including a PC, a PDA, and a keyboard-video-mouse (KVM) switch. As known in the art, a KVM switch operates in association with computing systems of like architecture. Thus, the combination of the references, which includes two system (e.g., the PC and the PDA) having different architectures, would not be operable with the KVM switch.

Accordingly, at least for this mutually exclusive reason, the rejection is unsupported in the art and should be withdrawn.

CONCLUSION

In view of the above, Applicant respectfully submits that claims 1, 13, and 17 are in condition for allowance. Dependent claims 2, 4-12, 14, 15, and 18 further limit independent claims 1 and 13, and therefore, are also in condition for allowance. Accordingly, an early Notice of Allowance is courteously solicited.
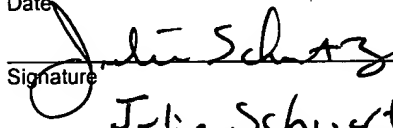
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